

**State of Minnesota****Conciliation Court**

County \_\_\_\_\_

Judicial District \_\_\_\_\_

Case No. \_\_\_\_\_

**STATEMENT OF COUNTERCLAIM AND SUMMONS****Plaintiff #1**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip \_\_\_\_\_

VS.

**Defendant #1**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip \_\_\_\_\_

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T**Plaintiff #2**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip \_\_\_\_\_

VS.

**Defendant #2**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip \_\_\_\_\_

**DEFENDANT'S STATEMENT OF COUNTERCLAIM**

- ☐ 1. The Plaintiff(s) owe(s) me \$ \_\_\_\_\_, plus filing fees and costs of \$ \_\_\_\_\_, for a total of \$ \_\_\_\_\_ because (state what happened and when it happened):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ 2. The Plaintiff(s) has/have the following property that belongs to me (list property), \_\_\_\_\_ valued at \$ \_\_\_\_\_, plus filing fees and costs of \$ \_\_\_\_\_, for a total of \$ \_\_\_\_\_.  
I want the Court to order this property returned to me or make the Plaintiff(s) pay me money for the value of the property.

3. I believe the person(s) I am suing is/are at least 18 years old and not in the military service.

4. I understand that if I do not come to court on my hearing date, my case will be dismissed and I may have to pay money to the Plaintiff(s) on any claim that has been filed.

NOTARY STAMP OR COURT SEAL

SWORN TO BEFORE ME ON:

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

THE ABOVE STATEMENT OF CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title (if representative): \_\_\_\_\_

Telephone: \_\_\_\_\_

**Notice of Settlement**

The above entitled case having been settled, the same may be and hereby is dismissed with my consent.

Date: \_\_\_\_\_

Defendant's Signature: \_\_\_\_\_

**SUMMONS: IMPORTANT NOTICE TO THE PARTIES**

You **must** come to court for a hearing on \_\_\_\_\_ at \_\_\_\_\_ .m. at \_\_\_\_\_  
Date Time

Location/Address \_\_\_\_\_

**If you do not come to court for this hearing, you may lose the case and have to pay money to the other party.**

Dated: \_\_\_\_\_ Court Administrator/Deputy \_\_\_\_\_

Case No. \_\_\_\_\_

## INSTRUCTIONS

- **Failure to Appear:** If Defendant does not come to Court for the scheduled hearing, the Defendant may lose the case and have to pay money to the Plaintiff. If Plaintiff does not come to Court for the scheduled hearing, the case may be dismissed and the Plaintiff may have to pay money to the Defendant on any counterclaim that has been filed.
- **Questions:** All questions and correspondence should be addressed to the Conciliation Court.
- **Change of Hearing Date:** The court administrator may change the hearing date if there is good cause for a continuance, but only if you request a different hearing date at least five days prior to the scheduled hearing. The court administrator may change only one hearing date per party. All other requests for a change of hearing date must be determined by the judge. All parties will be notified by the Court of any new hearing date. The Court in its discretion may assess costs of not more than \$50.00, either absolute or conditional, to the other party as a condition of granting an order for a continuance of any case.
- **Counterclaims:** If the Defendant wants to bring a counterclaim against the Plaintiff, it must be filed, along with a filing fee, at least five days (not including Saturdays, Sundays, and holidays) before the scheduled hearing date. The Court will then notify the Plaintiff of any such counterclaim. The Court will hear both the claim and counterclaim at the same time. If the counterclaim exceeds the jurisdictional limit of the Conciliation Court, see Rule 510 of Minnesota General Rules of Practice for the District Courts.
- **Evidence and Witnesses:** Each party must bring to the hearing all witnesses and exhibits, including repair bills and estimates, deemed necessary to prove his or her case. Upon request, the Court will issue subpoenas requiring witnesses to appear.
- **Trials:** After hearing the evidence, the Judge will either issue an order right away or take the case under advisement and issue an Order at a later date. The parties will be notified by mail of the Judge's decision. If a party changes his or her address, the Court must be notified.
- **Settlement:** If the parties agree on a settlement prior to the hearing, each party who has made a claim or counterclaim must promptly tell the Court in writing that the claim or counterclaim has been settled and that it may be dismissed.
- The Defendant may notify the Court by completing and filing with the Court the Notice of Settlement section on the Statement of Counterclaim and Summons form.